

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 9801-9850.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 17, 1922.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9801. Misbranding of Nerv-Mintz. U. S. * * * v. 171 Packages, 139 Packages, and 6 Dozen Packages * * * of Nerv-Mintz. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13422, 13423, 13518. I. S. Nos. 2451-t, 4298-t, 13105-t. S. Nos. C-2196, C-2198, C-2412.)

On August 19 and 25, 1920, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 171 packages, 139 packages, and 6 dozen packages, more or less, of Nerv-Mintz, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., on or about October 1, 1919, and March 8, April 3 and 26, and May 14, 1920, respectively, and transported from the State of West Virginia into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Nerv-Mintz Nerve And Energy Tablets Especially A Nerve Strengthenner * * * Soothe And Quiet The Nerves, * * * Used For The Relief Of Nervousness, Loss Of Vigor, Energy And Ambition—Lack Of Confidence, Sleeplessness, Trembling, Nervelessness, Shifty Gait, Shattered Nerves, Exhausted Or Weakened Vitality, Mental Depression, Numbness, Weakening Habits, * * * And All Overworked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * Useful In The Treatment Of Nervous Conditions Which Follow Too Strenuous Living, Mental And Physical Fatigue, And Other Excesses"; (circular) "Nerv-Mintz For Nervous Debility * * * Exceptionally Efficient In The Treatment Of Nervousness, Loss Of Vigor, Energy And Ambition, Lack Of Confidence, Sleeplessness, Shifty Gait, Shattered

Nerves, Weakened Or Exhausted Vitality, Mental Or Physical Depression, Weakening Habits, * * * And For All Over-Worked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * To all those who * * * suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. * * * Keep up the treatment * * *

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, zinc phosphid, capsicum, and aloin.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof, appearing in the labeling of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 3, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9802. Misbranding of Nerv-Mintz. U. S. * * * v. 3 Dozen Packages of * * * Nerv-Mintz. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13511. I. S. No. 7818-t. S. No. E-2593.)

On August 25, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of Nerv-Mintz, remaining in the original unbroken packages at Harrisburg, Pa., alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., on or about July 20, 1920, and transported from the State of West Virginia into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, zinc phosphid, capsicum, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effects, appearing in the labeling, (box) "Nerv-Mintz Nerve And Energy Tablets Especially A Nerve Strengthenner * * * Soothe And Quiet The Nerves, * * * Used For The Relief Of Nervousness, Loss Of Vigor, Energy And Ambition—Lack Of Confidence, Sleeplessness, Trembling, Nervelessness, Shifty Gait, Shattered Nerves, Exhausted Or Weakened Vitality, Mental Depression, Numbness, Weakening Habits, * * * And All Overworked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * Useful In The Treatment Of Nervous Conditions Which Follow Too Strenuous Living, Mental And Physical Fatigue, And Other Excesses," (circular) "Nerv-Mintz For Nervous Debility * * * Exceptionally Efficient In The Treatment Of Nervousness, Loss Of Vigor, Energy And Ambition, Lack Of Confidence, Sleeplessness, Shifty Gait, Shattered Nerves, Weakened Or Exhausted Vitality, Mental Or Physical Depression, Weakening Habits, * * * And For * * * Other Excesses. * * * To all those who * * * suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. * * * Keep up the treatment * * *," were false and fraudulent, since the said